

University of Michigan Journal of Law Reform

Volume 18

1985

Front Matter

Journal of Law Reform

Follow this and additional works at: <https://repository.law.umich.edu/mjlr>

Recommended Citation

Journal of Law Reform, *Front Matter*, 18 U. MICH. J. L. REFORM i (1985).

Available at: <https://repository.law.umich.edu/mjlr/vol18/iss3/1>

This Front Matter is brought to you for free and open access by the University of Michigan Journal of Law Reform at University of Michigan Law School Scholarship Repository. It has been accepted for inclusion in University of Michigan Journal of Law Reform by an authorized editor of University of Michigan Law School Scholarship Repository. For more information, please contact mlaw.repository@umich.edu.

UNIVERSITY OF MICHIGAN

JOURNAL OF LAW REFORM

VOLUME 18
NUMBER 3
SPRING 1985

UNIVERSITY OF MICHIGAN
LAW SCHOOL
ANN ARBOR, MICHIGAN

Cite as: U. MICH. J.L. REF.

Copyright © 1985 by the University of Michigan Law School. All rights reserved.

Published four times a year at Ann Arbor, Michigan. Third class postage paid at Atlanta, Georgia 30310. Printed at Darby Printing Company, Atlanta, Georgia 30310.

Subscriptions for Volume 18: United States and Canada, \$16.00 per year in advance; Foreign, \$18.00 per year.

Current Volume: Single Issues, \$5.00; Reprints, \$2.50 at Editorial and Business Offices. Back issues and volumes available from William S. Hein & Co., Inc., 1285 Main Street, Buffalo, New York 14209.

Because back stock of the *Journal* is turned over to a dealer, back issues are available to the *Journal* for a short time only. It is therefore necessary to ask that subscribers report the nonreceipt of copies within six months of the mailing date.

We gladly consider unsolicited manuscripts for publication. Manuscripts can be sent to the Editorial and Business Offices:

University of Michigan
Journal of Law Reform
S-324 Legal Research Building
Ann Arbor, Michigan 48109

Indexed in the Current Law Index, Index to Legal Periodicals, Legal Resource Index, and PAIS Bulletin.

ISSN 0033-1546.

UNIVERSITY OF MICHIGAN

JOURNAL OF LAW REFORM

VOLUME 18
NUMBER 3
SPRING 1985

CONTENTS

ARTICLES

- A Moderate and Restrained Federal Product Liability Bill:
Targeting the Crisis Areas for Resolution
Aaron D. Twerski 575
- Pretextual Fourth Amendment Activity:
Another Viewpoint
James B. Haddad 639
- Rejoinder: Truth, Justice, and the American Way—
Or Professor Haddad's "Hard Choices"
John M. Burkoff 695
- The Bottom Line Limitation to the Rule of
Griggs v. Duke Power Company
James P. Scanlan 705

NOTES

- The Admissibility of Prior Silence to Impeach the
Testimony of Criminal Defendants 741
- Forcing Attorneys to Represent Indigent Civil Litigants:
The Problems and Some Proposals 767

UNIVERSITY OF MICHIGAN LAW SCHOOL

Administrative Officers

HAROLD T. SHAPIRO, B.A., M.A., Ph.D., *President of the University*
 BILLY E. FRYE, M.S. Ph.D., *Vice President for Academic Affairs and Provost*
 TERRANCE SANDALOW, A.B., J.D., *Dean*
 EDWARD H. COOPER, A.B., LL.B., *Associate Dean for Academic Affairs*
 SUSAN M. EKLUND, A.B., J.D., *Associate Dean for Student Affairs and Operations*
 BEVERLEY J. POOLEY, B.A., LL.B., LL.M., S.J.D., *Associate Dean for the Law Library*
 VIRGINIA B. GORDAN, B.A., J.D., *Assistant Dean for Student Affairs*
 ALLAN T. STILLWAGON, A.B., M.A., *Assistant Dean and Admissions Officer*

Professors Emeriti of Law

WILLIAM W. BISHOP, JR., A.B., J.D.,
Edwin D. Dickinson Distinguished University Professor of Law
 OLIN L. BROWDER, JR., A.B., LL.B., S.J.D.,
James V. Campbell Professor of Law
 ALFRED F. CONARD, A.B., LL.B., LL.M., J.S.D., LL.D.,
Henry M. Butzel Professor of Law
 LUKE K. COOPERRIDER, B.S., J.D.

FRANK R. KENNEDY, A.B., LL.B., J.S.D.,
Thomas M. Cooley Professor of Law
 MARVIN L. NIEHUSS, A.B., LL.B.
 S. CHESTERFIELD OPPENHEIM, A.B., A.M., J.D., S.J.D.
 GEORGE E. PALMER, A.B., J.D., LL.M.
 ALLAN F. SMITH, A.B.Ed., LL.B., LL.M., S.J.D.
 RUSSELL A. SMITH, A.B., J.D.
 ERIC STEIN, J.U.D., J.D., DR.H.C., DR.H.C.,
Hessel E. Yntema Professor of Law

Professors of Law

FRANCIS A. ALLEN,** A.B., LL.B., J.D., LL.D.,
Edson R. Sunderland Professor of Law
 LAYMAN E. ALLEN, A.B., M.P.A., L.B.
 YEHUDA Z. BLUM,* M.Jur., Ph.D.
 LEE C. BOLLINGER, B.S., J.D.
 DAVID L. CHAMBERS,** A.B., LL.B.
 EDWARD H. COOPER, A.B., LL.B.
 ROGER A. CUNNINGHAM, S.B., J.D.
 RUDOLF DOLZER,* B.A., LL.M., S.J.D.
 DONALD N. DUQUETTE,†† B.A., J.D.
 SAMUEL D. ESTEP, A.B., J.D.
 ROBBEN W. FLEMING,** B.A., LL.B., LL.D.
 WHITMORE GRAY, A.B., J.D., LL.D.
 THOMAS A. GREEN, B.A., Ph.D., J.D.
 ROBERT J. HARRIS,† B.A., LL.B.
 TREVOR C. HARTLEY,* B.A., LL.B., LL.M.
 JEROLD H. ISRAEL, B.B.A., LL.B.,
Alene and Allan F. Smith Professor of Law
 JOHN H. JACKSON, B.A., J.D.,
Hessel E. Yntema Professor of Law
 DOUGLAS A. KAHN, B.A., J.D.,
Paul G. Kauper Professor of Law
 YALE KAMISAR, A.B., LL.B., LL.D.,
Henry King Ransom Professor of Law
 THOMAS E. KAUPER, A.B., J.D.,
Henry M. Butzel Professor of Law
 JAMES E. KRIER, B.S., J.D.
 RICHARD O. LEMPert, A.B., J.D., Ph.D.
 JAMES A. MARTIN, B.S., M.S., J.D.
 WADE H. MCCREE, JR., A.B., LL.B., LL.D.,
Lewis M. Simes Professor of Law

WILLIAM I. MILLER,* B.A., Ph.D., J.D.
 JOHN E. NOWAK,* A.B., J.D.
 SALLYANNE PAYTON, A.B., LL.B.
 WILLIAM J. PIERCE, A.B., J.D.
 BEVERLEY J. POOLEY,** B.A., LL.B., LL.M., S.J.D.
 ROY F. PROFFITT,** B.S.Bus. Ad., J.D., LL.M.
 JOHN W. REED, A.B., LL.B., LL.M., JUR.Sc.D.,
Thomas M. Cooley Professor of Law
 DONALD H. REGAN, A.B., LL.B., B.Phil.
 THEODORE J. ST. ANTOINE, A.B., J.D.,
James E. and Sarah A. Degan Professor of Law
 TERRANCE SANDALOW, A.B., J.D.
 JOSEPH L. SAX, A.B., J.D.,
Philip A. Hart Distinguished University Professor of Law
 FREDERICK F. SCHAUER, A.B., M.B.A., J.D.
 STEPHEN H. SCHULMAN,* B.S., J.D., LL.M.
 PHILIP SOPER, B.A., M.A., J.D., Ph.D.
 PETER O. STEINER,** A.B., M.A., Ph.D.
 AARON D. TWERSKI,* A.B., J.D.
 JOSEPH VINING, B.A., M.A., J.D.
 LAWRENCE W. WAGGONER, B.B.A., J.D., D.Phil.,
James V. Campbell Professor of Law
 ANDREW S. WATSON, B.S., M.D., M.S. in Med.
 PETER K. WESTEN,** B.A., J.D.
 JAMES BOYD WHITE, A.B., A.M., LL.B.
 JAMES J. WHITE, B.A., J.D.,
Robert A. Sullivan Professor of Law
 MICHELLE J. WHITE, A.B., M.Sc., Ph.D.
 CHRISTINA B. WHITMAN, A.B., M.A., J.D.

Associate Professors of Law

T. ALEXANDER ALEINIKOFF,** B.A., J.D.
 WENDY J. GORDON,* A.B., J.D.
 MICHAEL ROSENZWEIG, A.B., J.D.

CARL E. SCHNEIDER, A.B., J.D.
 PATRICIA D. WHITE,* B.A., M.A., J.D.

Assistant Professors of Law

REBECCA S. EISENBERG, B.A., J.D.
 MARTIN A. GEER,†† B.A., J.D.
 JUDITH A. LACHMAN,* B.A., M.A., Ph.D., J.D.
 JESSICA D. LITMAN, B.A., M.F.A., J.D.

PAUL D. REINGOLD,†† B.A., J.D.
 DENNIS E. ROSS,** B.A., J.D.
 MARK C. VAN PUTTEN,†† B.A., J.D.

Instructors in Law

SCOTT G. BASSETT,†† B.A., J.D.
 LISA E. D'AUNNO,†† A.B., J.D.

MATHIAS W. REIMANN,* DR. IUR., LL.M.
 KATHERINE E. WARD,† B.A., J.D.

Lecturers in Law

CYRIL MOSCOW,† B.S., J.D.
 STEVEN D. PEPE,† B.A., J.D., LL.M.

EDWARD R. STEIN,† B.A., J.D.
 PETER J. VAN HOEK,† B.B.A., J.D.

* Visiting

** On Leave

† Adjunct

†† Clinical

UNIVERSITY OF MICHIGAN

JOURNAL OF LAW REFORM

EDITORIAL BOARD

Editor-in-Chief
MARJORIE E. POWELL

Managing Editor
MICHAEL J. MUELLER

Articles Editors
THOMAS N. BULLEIT, JR.
STEVEN W. PELAK
ROBERT POZNANSKI

Executive Editor
ANDREW O. SCHIFF
*Research & Development
Editor*
KENNETH W. GAUL

Note Editors
SUSAN P. BARNABEO
KATHRYN L. BIBERSTEIN
CONSTANCE A. FRATIANNI
MARC M. JACOBS
MICHAEL A. WORONOFF

Associate Note Editors
CARL A. BUTLER
REX A. SHARP

CONTRIBUTING EDITORS

STEVEN L. BRENNEMAN
MONICA A. BRODERICK
ANDREA L. DULBERG

FELICIA JONES
KIRSTEN KINGDON
ANNE LAWTON

DOUG SCHLEICHER
DAVID A. SCHUETTE
BETSY A. SLOTNICK

JUNIOR MEMBERS

CYNTHIA A. ANDERSON
JOHN P. BARKER
CONSTANCE L. BAUER
THOMAS BEAN
ERIC D. BRANDFONBRENER
MAUREEN M. CROUGH
TERRY FEIN
PETER G. FITZGERALD
ROBERT S. FORMAN
LISA J. GLICK
GREGORY M. GOCHANOUR
ROBERT B. GORDON

SANDRA A. HOFFMAN
ROBERTS E. INVEISS
BRADLEY D. JACKSON
JON B. JACOBS
KAREN Y. KAUPER
ANDREW G. KLEVORN
SUSAN KLING
JOAN M. KRIPKE
H. LYNDIA KUGEL
GREGG F. LOMBARDI†
EARL LUI
RALPH R. MCKEE

MARK S. NUSSBAUM
LYNNE A. OLIVER
MARK K. OSBECK
FRANCES J. PAUL
TODD A. RICHARDSON
DAVID B. SCHACHER
GEORGE P. SCHOBER
LANGHORNE C. SIAS
GREGORY W. STEVENS
RICHARD A. WALAWENDER
JOEL R. WELLS

FACULTY ADVISORS

ALEXANDER T. ALEINIKOFF†

JESSICA D. LITMAN

FREDERICK F. SCHAUER

† On Leave